

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et
al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to HTA and
ERS.

ORDER GRANTING THE THIRTY-NINTH OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY AND THE EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO DEFICIENT CLAIMS

Upon the *Thirty-Ninth Omnibus Objection (Non-Substantive) of the Puerto Rico Highways and Transportation Authority and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims* (Docket Entry No. 7248, the “Thirty-Ninth Omnibus Objection”)² filed by the Puerto Rico Highways and Transportation Authority (“HTA”) and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA” and together with the Commonwealth, COFINA, HTA, and ERS, the “Debtors”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Thirty-Ninth Omnibus Objection.

(the “ERS”), dated June 6, 2019, for entry of an order disallowing in their entirety certain claims filed against HTA and ERS, as more fully set forth in the Thirty-Ninth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Thirty-Ninth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Thirty-Ninth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and Proofs of Claim Nos. 5427, 55278, 23624 and 60916 being duplicative of a Master Proof of Claim, each of the claims identified in the English version of Exhibit A hereto (collectively, the “Deficient Claims”) having failed to comply with the applicable rules and the Bar Date Orders by not providing a basis for the claim, such that HTA and ERS cannot determine the validity of the claim; and the Court having determined that the relief sought in the Thirty-Ninth Omnibus Objection is in the best interest of HTA, ERS, their creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Thirty-Ninth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the Thirty-Ninth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that Proofs of Claim Nos. 5427, 55278, 23624 and 60916 and the Deficient Claims are hereby disallowed in their entirety; and it is further

ORDERED that Prime Clerk is authorized and directed to delete the Deficient Claims from the official claims register in the Commonwealth Title III Case; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: August 14, 2019

/s/ Laura Taylor Swain

Honorable Judge Laura Taylor Swain
United States District Judge